

tions, association or organization at the time of taking the oath of office or no other time in my life.

(Signed) LOUIS LANKFORD.

Sworn and subscribed to this the 17th day of February, 1937.

(Seal)

ADELE JACOBS,
Notary Public, Travis County.

(1) Jap Lucas.

Athens, Texas.

Representative of District No. 54.

(2) Ex-Telegraph Operator.

(3) None.

(Signed) JAP LUCAS.

Sworn and subscribed to this the 17th day of February, 1937.

(Seal)

ADELE JACOBS,
Notary Public, Travis County.

(1) Helmuth H. Schuenemann.

Kenedy, Texas.

Representative of District No. 79.

(2) Attorney.

(3) None.

(Signed)

HELMUTH H. SCHUENEMANN.

Sworn and subscribed to this the 18th day of February, 1937.

(Seal)

ADELE JACOBS,
Notary Public, Travis County.

(1) J. Harvey Shell.

Gregory, Texas.

Representative of District No. 70.

(2) Farmer.

(3) None.

(Signed) J. HARVEY SHELL.

Sworn and subscribed to this the 18th day of February, 1937.

(Seal)

ADELE JACOBS,
Notary Public, Travis County.

ADJOURNMENT

On motion of Mr. Kern, the House at 6:50 o'clock p. m., adjourned until 10:00 o'clock a. m., Friday, February 19.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills as follows: Conservation and Reclamation: House Bill No. 254.

State Affairs: House Bill No. 202.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, February 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 120, A bill to be entitled "An Act amending Article 802, Penal Code of Texas, 1925, as amended by Chapter 424, Acts, First Called Session, Forty-fourth Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, February 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 89, "An Act making it unlawful to take or kill wild deer or wild turkey in the Counties of Harrison, Marion, Cass, Brown, Coleman, Mills or Bowie for a period of five (5) years; prescribing penalty for violation of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 36, Instructing the Enrolling Clerk of the House to make certain correction in House Bill No. 89.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

TWENTY-THIRD DAY

(Friday, February 19, 1937)

The House met at 10:00 o'clock a m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called and the following Members were present:

Mr. Speaker	Jones of Atascosa
Adkins	Jones of Falls
Alexander	Jones of Wise
Alsup	Keefe
Amos	Keith
Baker	Kelt
Bates	Kern
Beckworth	King
Bell	Knetsch
Blankenship	Langdon
Boethel	Lankford
Bond	Lanning
Boyer	Leath
Bradbury	Leonard
Bradford	Leyendecker
Bridgers	Little
Broadfoot	Loggins
Brown	London
Burton	Lucas
Callan	Mann
Carsow	Mauritz
Cathey	Mays
Cauthorn	McConnell
Celaya	McCracken
Davis of Haskell	McDonald
Davis of Jasper	McFarland
Davison of Fisher	McKinney
Davisson	Metcalfe
of Eastland	Moffett
Dean	Monkhouse
Deglandon	Morris
Derden	Morse
Dickison	Newton
Felty	Nicholson
Fielden	Oliver
Fox	Palmer
Fuchs	Patterson of Mills
Gibson	Patterson
Hamilton	of Travis
Hankamer	Petsch
Hanna	Powell
Harbin	Prescott
Hardin	Quinn
Harper	Reader
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Heflin	Riddle
Herzik	Roark
Holland	Ross
Hoskins	Russell
Howard	Rutta
Huddleston	Schuenemann
Hyder	Settle
Jackson	Sewell
James	Sharpe
Johnson of Ellis	Shell
Johnson	Simpson
of Tarrant	Skaggs
Jones of Angelina	Smith of Hopkins

Smith	Thornberry
of Matagorda	Thornton
Smith of Tarrant	Vale
Stinson	Walker
Stocks	Weldon
Talbert	Westbrook
Tarwater	Winfree
Tennant	Wood
Tennyson	Worley

Absent—Excused

Cagle	Hartzog
Cleveland	Hull
Colquitt	Kenyon
Dollins	McKee
England	Pope
Farmer	Ragsdale
Graves	Stevenson
Harrell	Waggoner

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. McKee for today, on motion of Mr. Knetsch.

Mr. Graves for today, on motion of Mr. Brown.

Mr. Cagle for today, on motion of Mr. Loggins.

Mr. Kenyon for today, on motion of Mr. Thornton.

Mr. Ragsdale for today, on motion of Mr. Bates.

Mr. Stevenson and Mr. Pope for today, on motion of Mr. Lucas.

Mr. McConnell temporarily for today, on motion of Mr. Ross.

Mr. England for today, on motion of Mr. Harbin.

The following Members were granted leaves of absence on account of illness:

Mr. Farmer for today, on account of illness in his family, on motion of Mr. Celaya.

Mr. Hartzog for today, on motion of Mr. Shell.

Mr. Cleveland for today, on motion of Mr. Hamilton.

Mr. Hull for today, on motion of Mr. Johnson of Tarrant.

Mr. Harrell for today, on motion of Mr. Simpson.

Mr. Colquitt for today, on motion of Mr. Boethel.

Mr. Dollins for today, on motion of Mr. Jones of Falls.

Mr. Waggoner for today, on motion of Mr. Keith.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Calvert:

H. B. No. 605, A bill to be entitled "An Act to amend Article 1813, Revised Civil Statutes of Texas, 1925, so as to add thereto a provision for the appointment of a Special Commissioner to serve with and assist a Court of Civil Appeals where a member thereof shall be totally disabled by illness, physical or mental; providing for the appointment of such Special Commissioner by the Governor under certain defined circumstances; defining the duties, compensation, and term of office of such Special Commissioner; providing that if any part of this Act is held unconstitutional, the valid portion of the same was intended to be enacted, and providing for an emergency."

Referred to the Committee on Judiciary.

By Mr. Brown:

H. B. No. 606, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925, prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than 43,180 and not more than 44,100 population, according to the last preceding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply wherein conflict therewith, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Schuenemann:

H. B. No. 607, A bill to be entitled "An Act creating a special road law for Karnes County, Texas, providing that said County may fund or refund the indebtedness outstanding against

its road and bridge fund as of February 8, 1937, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Harris of Archer and Mr. Bradbury:

H. B. No. 608, A bill to be entitled "An Act amending Article 3111, Revised Civil Statutes of Texas, 1925, by providing that all candidates for State offices and all candidates for United States Senate and House of Representatives shall file with the State Chairman an affidavit stating their occupation and former employment during the two years immediately preceding the filing of such affidavit; providing the time such affidavit shall be filed with the State Chairman and providing that the Chairman shall within five days after the receipt of such affidavit file a certified copy of the same in the office of the Secretary of State, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Tennyson (by request) and Mr. Leonard:

H. B. No. 609, A bill to be entitled "An Act to amend Chapter 209 of the Acts of the Regular Session of the Forty-third Legislature, so as to define the rights and duties of the State Board of Education to exact of school districts and cities and towns which have assumed control of Public Schools located therein the performance of certain prescribed duties in instances wherein all or any part of the bonds of such districts, cities or towns are owned by the Permanent School Fund; prescribing the duties of such districts, cities and towns and the rights of bondholders in such in-

stances; prescribing the duties of the Comptroller of Public Accounts in reference thereto; providing for suspension of payments of available and rural aid school funds to such districts, cities or towns as are delinquent; conferring on the State Board of Education authority to cause the resumption of such payments in the manner herein prescribed; conferring on the State Board of Education discretion as to application of monies remitted for bond purposes; declaring this Act to be cumulative; providing that to the extent that the provisions of this Act are in conflict with other laws, the provisions of this Act shall prevail; providing that in event any sentence, clause or provision contained herein shall be invalid, such partial invalidity shall not affect other provisions of this Act, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Patterson of Travis and Mr. Leonard:

H. B. No. 610, A bill to be entitled "An Act repealing Section 11 of Article 7152, Title 122 of the Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Stevenson:

H. B. No. 611, A bill to be entitled "An Act to authorize the State Highway Department, in conjunction with the Bureau of Public Roads, to expend, from and after July 1, 1937, upon roads not a part of the system of State highways, funds appropriated for expenditure on such roads under the Hayden-Cartwright Act, passed by the Seventy-fourth Congress, June 16, 1936, (H. R. 11687); to permit such funds to be matched or supplemented from the State Highway Fund; expressly repealing all laws or parts of laws in conflict herewith to the extent of such conflict, but said laws are not otherwise repealed, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Knetsch (by request):

H. B. No. 612, A bill to be entitled "An Act creating the office of State Inspector of Aeronautics, providing

for his appointment, prescribing his qualifications and duties, making provision for his compensation and equipment, prescribing certain duties of persons owning aircraft, prohibiting unlicensed pilots from flying unlicensed aircraft, making the violation of any provision of this Act a misdemeanor and imposing a penalty; providing that the invalidity of any portion of this Act shall not affect the remainder, providing that this Act is to be construed in aid of existing statutes relating to aviation; and providing that this Act shall not affect United States government owned and operated aircraft, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Shell:

H. B. No. 613, A bill to be entitled "An Act creating a special road law for San Patricio County, Texas, providing that said County may fund or refund the indebtedness outstanding against its road and bridge fund prior to May 21st, 1931; setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Fox, Mr. Keith, Mr. Stinson, Mr. Hankamer, Mr. Jones of Wise, Mr. Thornton and Mr. Bates:

H. B. No. 614, A bill to be entitled "An Act providing for declaratory judgments; specifying the situations to which the Act applies; providing for construction of contracts before breach; making the Act applicable to estates and fiduciary relationships; providing that enumerated powers shall not restrict general powers; vesting discretion in court in exercising powers conferred in this Act; providing for procedure and appeals,

supplementary relief, jury trial of facts, and assessing costs; specifying parties who shall be affected; declaring the purpose of the Act, defining terms, providing for a short title, providing for severability of provisions, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Thornberry:

H. B. No. 615, A bill to be entitled "An Act making an emergency appropriation to pay court costs accrued in the case of State of Texas versus Atlantic Oil Producing Company, et al, No. 53453, which case was tried in the District Court of Travis County and is now on appeal in the Court of Civil Appeals, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Vale (by request):

H. B. No. 616, A bill to be entitled "An Act requiring license for the operation, maintenance, opening and establishment of all places of business used by processors of dairy products for the exclusive sale at retail of such products; prescribing the license and filing fees to be paid therefor, and the disposition thereof; fixing the powers and duties of the Comptroller of Public Accounts in connection therewith; providing that this Act shall apply to every person, agent, receiver, trustee, firm, corporation, co-partnership or association, either domestic or foreign, which is controlled or held by others by a majority stock-ownership or ultimately controlled or directed by one management or association of ultimate management; declaring certain violations to be offenses and prescribing a penalty for the violations; providing that the provisions of this Act shall be severable, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Hamilton, Mr. Keith, Mr. Stinson, Mr. Quinn, Mr. Broadfoot, Mr. Sharpe, Mr. Cauthorn, Mr. Davis of Haskell and Mr. Mays:

H. B. No. 617, A bill to be entitled "An Act prohibiting any person from damaging, destroying, or removing any building, orchard, fence, well or other improvement, or fixture con-

nected therewith, or any part thereof, where the same is subject to any lien debt in default; prescribing offenses and punishment, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Waggoner, Mr. Stinson, Mr. Sharpe, Mr. Cauthorn, Mr. Hamilton, Mr. Mays, Mr. Davis of Haskell and Mr. Keith:

H. B. No. 618, A bill to be entitled "An Act regulating and fixing the rights of parties to contracts or conveyances executed by persons at the time who are of unsound mind or otherwise incompetent, where no adjudication of incompetency has been made by a court of competent jurisdiction, and also, where such adjudication has been made but no lawful guardian of the estate of such incompetent has been appointed; providing for the filing in the deed records of each county where such incompetent owns, or has any interest in or lien upon land, of a copy of the order of adjudication; providing for the duty of the Court and Clerk with respect to the filing of such order, fixing the cost and fee therefor, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Keith, Mr. Stinson, Mr. Broadfoot, Mr. Sharpe, Mr. Cauthorn, Mr. Hamilton, Mr. Davis of Haskell and Mr. Mays:

H. B. No. 619, A bill to be entitled "An Act amending Article 5520, Chapter 1, Title 29, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, page 230, Chapter 136, Section 2, relating to Vendor's Lien, Mortgage Liens and Deed of Trust Notes secured by lien on real estate, providing time and manner of the running of limitation thereon; and of actions to recover real estate by virtue of a superior title retained by vendors or grantors and for the presumption of payment and existence of liens; providing the time and manner of enforcement of said notes and lien in certain cases, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Keith (by request):

H. B. No. 620, A bill to be entitled "An Act to amend Article 3485, of Chapter 17, Title 54, of the Revised Civil Statutes of 1925, and to repeal Article 3492, as amended by Chapter 236, page 391, of the General Laws of the Regular Session of the Forty-second Legislature of the State of Texas, so as to provide that the property reserved from forced sale by the Constitution and Laws of this State does not form any part of the estate of a deceased person where a constituent of the family survives, and providing further that such property shall continue to be liable for all debts secured by a valid and subsisting lien or encumbrance thereon, and requiring the Court, when administration has been granted upon the estate of such deceased person, to set apart all such property, subject to and charged with the debts secured by a valid and subsisting lien or liens thereon, for the use and benefit of the widow and minor children and unmarried daughters remaining with the family of the deceased, and authorizing the Court to order such debts and liens paid and discharged out of the unincumbered, non-exempt property owned by such deceased person at the time of death, making this Act applicable to all estates, whether solvent or insolvent, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Keith (by request):

H. B. No. 621, A bill to be entitled "An Act requiring all incorporated towns, cities and villages having a population of less than 10,000 people, according to the last Federal Census, and all school districts, road districts, water improvement districts, drainage districts, and levy districts to file annually a list of all taxes on real property within such respective districts with the County Collector of Taxes; requiring the County Tax Collector to receive and receipt for said taxes and apportion the same; and providing that if any such town, city or village or special district, shall fail to file such tax list by November 1st each year hereafter it shall lose its lien as against an innocent purchaser or mortgagee."

Referred to the Committee on Revenue and Taxation.

By Mr. Adkins:

H. B. No. 622, A bill to be entitled "An Act providing relief of the Shaw Bend Common School District, No. 5 of San Saba County, Texas, in order to aid said School District in repairing, rehabilitating and equipping its school building which was destroyed by flood in the Colorado River on the 20th day of September, 1936; making an appropriation to said District for said property, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Walker:

H. B. No. 623, A bill to be entitled "An Act repealing Section 9, Article IV of House Bill No. 8, Chapter 495, Acts of the Third Called Session of the Forty-fourth Legislature, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Pope and Mr. Shell:

H. B. No. 624, A bill to be entitled "An Act providing that it shall be unlawful to take any fish for sale from the waters of Lake Corpus Christi, situated in the Counties of San Patricio, Jim Wells and Live Oak, or from the waters of the Nueces River between Calallen Dam and west boundary line of Live Oak County, including all of the tributaries of the Nueces River within the boundaries of Live Oak County, San Patricio County and Nueces County; providing a closed season for fishing in said waters; prohibiting the use of certain devices for taking fish in said waters; providing a suitable penalty for any violation of this Act; repealing all laws in conflict therewith, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Pope:

H. B. No. 625, A bill to be entitled "An Act amending Article 5449, 1925 Civil Statutes, as amended by Chapter 291, of the General Laws of the Regular Session of the Forty-fourth Legislature, so as to provide that when any abstract of judgment has been recorded it shall, from the date of such record and index, operate as a lien upon all of the real estate of the defendant situated in the county where such record and index are made and

upon all real estate which defendant may thereafter acquire, situated in said county, said lien to continue for four years from the date of such record and index, except that if during said four-year period the judgment becomes dormant said lien shall thereupon cease to exist, and so as to provide that the lien of any judgment so recorded and indexed prior to the effective date of this Act, if then valid, shall continue for four years from the effective date of this Act, except that if during said four years the judgment becomes dormant said lien shall thereupon cease to exist, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Shell:

H. B. No. 626, A bill to be entitled "An Act to amend Article 1645 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, as amended by Chapter 15, General and Special Laws passed at the Second Called Session of the Forty-second Legislature relating to the appointment and compensation of County Auditors in counties containing a population of thirty-five thousand (35,000) inhabitants, or over, according to the preceding Federal Census, or having a tax valuation of Twenty-five Million (\$25,000,000.00) Dollars according to the last approved tax roll; and providing for additional compensation for County Auditors in such counties having more than two hundred thousand (200,000) population and not more than three hundred thousand (300,000) population according to the last Federal Census where there is a city and county hospital to care for City and County patients, and where a financial record for such hospital must be kept and reports made to the city and county; and providing that if any portion of this Act be declared unconstitutional or invalid, the remainder shall not be affected thereby."

Referred to the Committee on Counties.

By Mr. Loggins:

H. B. No. 627, A bill to be entitled "An Act creating a closed season upon wild deer, buck, doe or fawn for a period of five (5) years in the County of Polk, in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild deer, buck, doe or fawn within said County, for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. McCracken and Mr. Morse:

H. B. No. 628, A bill to be entitled "An Act to amend Article 6686, Revised Civil Statutes of 1925, as amended by Chapter 211, Acts of the Regular Session of the Fortieth Legislature, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

BILLS RE-REFERRED

Mr. Keefe moved that House Bill No. 350 be withdrawn from the Committee on State Affairs and referred to the Committee on Privileges, Suffrage and Elections.

The motion prevailed.

Mr. Brown moved that House Bill No. 461 be withdrawn from the Committee on Banks and Banking and referred to the Committee on Judiciary.

The motion prevailed.

Mr. Wood moved that House Bill No. 345 be withdrawn from the Committee on Counties and referred to the Committee on Criminal Jurisprudence.

The motion prevailed.

Mr. Wood moved that House Bill No. 384 be withdrawn from the Committee on Counties and referred to the Committee on Criminal Jurisprudence.

The motion prevailed.

Mr. Bradbury moved that House Bill No. 155 be withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Municipal and Private Corporations.

The motion prevailed.

BILLS RECOMMITTED

Mr. Petsch moved that House Bill No. 339 be recommitted to the Committee on Judiciary.

Mr. Reader moved to table the motion to recommit the bill.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—36

Adkins	Leonard
Alsup	Lucas
Boethel	Mann
Boyer	Morse
Bradbury	Newton
Broadfoot	Nicholson
Burton	Oliver
Callan	Reader
Carssow	Reed of Dallas
Davis of Haskell	Riddle
Dickison	Rutta
Hardin	Smith of Hopkins
Harris of Dallas	Smith
Howard	of Matagorda
Huddleston	Smith of Tarrant
Jackson	Stinson
James	Thornton
Johnson of Ellis	Vale
Jones of Falls	

Nays—74

Alexander	Langdon
Amos	Lankford
Beckworth	Lanning
Bell	Leyendecker
Blankenship	Loggins
Bond	London
Bradford	Mauritz
Bridgers	Mays
Cathey	McConnell
Cauthorn	McFarland
Davison of Fisher	McKinney
Deglandon	Moffett
Derden	Morris
Felty	Palmer
Fielden	Patterson of Mills
Fox	Patterson
Gibson	of Travis
Hamilton	Petsch
Hanna	Powell
Harbin	Prescott
Harris of Dickens	Quinn
Heflin	Reed of Bowie
Holland	Rhodes
Hoskins	Roark
Hyder	Ross
Johnson	Schuenemann
of Tarrant	Settle
Jones of Angelina	Sewell
Jones of Atascosa	Shell
Jones of Wise	Simpson
Keefe	Skaggs
Keith	Stocks
Kelt	Talbert
Kern	Tennant
King	Thornberry
Knetsch	Walker

Weldon
Westbrook

Wood
Worley

Absent

Baker	Herzik
Bates	Leath
Brown	Little
Celaya	McCracken
Davis of Jasper	McDonald
Davisson	Metcalfe
of Eastland	Monkhouse
Dean	Russell
Fuchs	Sharpe
Hankamer	Tarwater
Harper	Tennyson
Harris of Archer	Winfree

Absent—Excused

Cagle	Hartzog
Cleveland	Hull
Colquitt	Kenyon
Dollins	McKee
England	Pope
Farmer	Ragsdale
Graves	Stevenson
Harrell	Waggoner

Question recurring on the motion to recommit House Bill No. 339, it prevailed.

Mr. Tennyson moved that House Bill No. 317 be recommitted to the Committee on Education.

The motion prevailed.

MOTION TO RE-REFER HOUSE BILL 418

Mr. Kern moved that House Bill No. 418 be withdrawn from the Committee on Judiciary and referred to the Committee on Education.

Mr. Gibson moved to table the motion to re-refer.

The motion to table prevailed.

ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr. Bates, House Bill No. 413.

Mr. Newton, Mr. Davisson of Eastland, Mr. Vale, Mr. Celaya, Mr. King and Mr. Bates, House Bills Nos. 328 and 468.

Mr. Winfree, Mr. Quinn and Mr. Russell, House Bill No. 158.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Brown offered the following resolution:

H. C. R. No. 37, To grant C. A. Lanier permission to sue the State of Texas.

Whereas, On the 13th day of January, A. D., 1936, C. A. Lanier of Alto, Cherokee County, Texas, attempted to move one mule from Nacogdoches County, Texas, into Cherokee County, Texas; and

Whereas, Before being permitted to move said mule into Cherokee County, Texas, he, the said C. A. Lanier, was forced and compelled by the State of Texas and/or the Live Stock Sanitary Commission of the State of Texas, to have said mule dipped for the eradication of fever ticks under the direction of the State of Texas and/or the Live Stock Sanitary Commission of the State of Texas; and

Whereas, Said mule was, on the 13th day of January, A. D., 1936, dipped for the eradication of fever ticks by the State of Texas and/or the Live Stock Sanitary Commission of the State of Texas, or under the direction of same; and

Whereas, Said mule died as a direct result of said dipping; and

Whereas, The State of Texas and/or the Live Stock Sanitary Commission of the State of Texas, failed to use reasonable care in the dipping of said mule and was negligent in the handling of said mule and of having the solution, in which said mule was dipped, insufficiently diluted, and said negligence on the part of the State of Texas and/or the Live Stock Sanitary Commission of the State of Texas, in the handling of said mule, and in not having the solution in which said mule was dipped not sufficiently diluted, either or both was the direct cause of the death of said mule; and

Whereas, The said C. A. Lanier has never been compensated by the State of Texas and desires to bring suit against the Live Stock Sanitary Commission of the State of Texas for the purpose of establishing that the injuries resulting in the death of said mule, and the consequential damages occasioned by the fact that the said C. A. Lanier was deprived of the use of said mule were the direct results of the negligence of the Live Stock Sanitary Commission of the State of Texas and the State of Texas in the

handling of said mule in a manner which caused its death as afore set out, and to recover his damages against the Live Stock Sanitary Commission of the State of Texas and/or the State of Texas; therefore, be it

Resolved that the House of Representatives of Texas, the Senate concurring, That the said C. A. Lanier be, and he is hereby granted permission to bring suit in any court in Cherokee County, Texas, having jurisdiction of the amount in controversy against the Live Stock Sanitary Commission of the State of Texas and/or the State of Texas, to determine whether the injuries, and death of said mule, and damages mentioned herein were due to the negligence of said Live Stock Sanitary Commission of the the State of Texas and/or the State of Texas as set out herein, and to determine the amount of damages, if any, occasioned to the said C. A. Lanier by reason of the injuries and death of said mule; and, be it further

Resolved, That service of process may be set upon the Live Stock Sanitary Commission of the State of Texas and the Attorney General of the State of Texas as made and provided for in civil suits.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Rutta offered the following resolution:

H. C. R. No. 38, To grant A. J. Laas permission to sue the State.

Whereas, At about 8 o'clock p. m. on the 17th day of May, A. D., 1935, A. J. Laas was driving in his automobile along State Highway No. 36 in Austin County, Texas, proceeding in a northerly direction from the town of Sealy towards the town of Bellville in said county, at a point approximately four miles from said town of Sealy, at which point on said State Highway No. 36 his automobile was wrecked and rendered totally worthless and wherein the said A. J. Laas sustained serious and permanent injuries to his person; and

Whereas, The said A. J. Laas claims that said damages to his automobile and the injuries so suffered by his person were directly and proximately caused by the negligence of the State Highway Department, in that said

Highway Department maintained and/or permitted to be there maintained, a certain blind and narrow culvert, which said culvert was narrower than the main traveled portion of road-bed of said highway, and which had no adequate sides or approaches to indicate its existence, and that no sign or signs to warn the approaching automobile of said dangerous, blind and narrow culvert were maintained, thereby causing his said automobile to miss said culvert and plunge into a deep drain from said culvert just to the east side of said highway and the said culvert, causing the damages and injuries aforesaid; and

Whereas, The said A. J. Laas claims that the State of Texas and its Highway Department are liable for the said damages as suffered and the said injuries so inflicted; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said A. J. Laas be hereby granted permission to bring suit against the State of Texas and the State Highway Department and the State Highway Commission in a Court of competent jurisdiction in Austin County, Texas, to ascertain and fix the amount or amounts, if any, the State Highway Commission and the State of Texas is indebted to the said A. J. Laas on account of the damages and injuries so alleged to have been suffered by him and inflicted upon him. And in case such suit is filed, service of citation shall be had upon the Governor of the State of Texas, the Chairman of the Highway Commission and the Attorney General of Texas, and that said suit may be prosecuted regardless of any claim of limitation upon the part of the defendants therein, and that either party hereto shall have the right of appeal without the execution of a bond and any judgment that may be finally established against the State of Texas and the Highway Commission of Texas in said suit shall be a liquidated debt and shall be paid by the Highway Commission of Texas out of the funds in its hands and under its control.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Jones of Falls offered the following resolution:

H. C. R. No. 39, To grant Mrs. Joe W. Taylor permission to sue the State of Texas, the State Highway Commission, and the County of McLennan.

Whereas, The State Highway Department of the State of Texas, in carrying out certain improvements on the County Road in McLennan County, Texas, now part of State Highway No. 2, including the construction of a bridge across the Brazos River on said highway, such work being done under the control of the State Highway Department, and in accordance with plans and specifications prepared by it, and under contract let by it, did, according to the claims of Mrs. Joe W. Taylor, who owns lands in the proximity of said highway, cause certain damage to her said lands, crops, and personal property on said lands by changing the course of, and diverting storm waters, and the waters of the Brazos River on, to, and across said lands, and she desires to bring and maintain suit against the State of Texas, the State Highway Department of Texas, and the County of McLennan, already served with citation, for the purpose of recovering her damages and determining which of said parties is liable therefor; and

Whereas, The said Mrs. Joe W. Taylor claims that the damage that was so done to her lands, crops, and personal property would not have taken place had not said road been constructed in a manner in which it was constructed, or if it had not been constructed at all; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That Mrs. Joe W. Taylor be, and she is hereby granted permission to bring and maintain said suit against the State of Texas and the State Highway Department of Texas, or either of them, or to join them, or either of them, as parties defendant in said suit or suits against them and the County of McLennan in any Court of competent jurisdiction of the amount involved, in McLennan County, Texas, for the purpose of determining the compensation or damages, if any, the said Mrs. Joe W. Taylor is entitled to recover by reason of the premises above set out, and the liability, if any, of the State of Texas and the State Highway Department of Texas therefor, and that any damages or compensation therein determined to be owing to the said Mrs. Joe W. Taylor, by the State of Texas or the

State Highway Department of Texas, shall be paid out of the State Highway funds; and, be it further

Resolved, That service of all necessary processes may be had upon the Highway Commission of the State of Texas or the Attorney General of said State, with the same force and effect as in civil cases is made and provided, and provided that any of the parties to said suit shall have the right to appeal; and, be it further

Resolved, That the Attorney General and the Highway Commission of the State of Texas, either or both, be and are hereby authorized to compromise or otherwise settle any such suit if, in the opinion of the Attorney General, or Highway Commission, the said Mrs. Joe W. Taylor is entitled to compensation because of her injury and damage, if any, and that the Comptroller be, and is hereby authorized and instructed to settle same in compliance therewith, and charge same against the State Highway Fund; and, be it further

Resolved, That any such suit shall be tried according to the same rules of law and procedure as to liability and defense of the State of Texas and the State Highway Department of Texas that would be applicable if such suit were brought against any private corporation under the same facts and circumstances as provided by the laws of this State.

Resolved, That a certified copy of this resolution when presented to the District Court in which a suit filed by the above named party is pending, shall be conclusive evidence that the Legislature has consented to such suit being filed and maintained on such claim and that permission has been granted to the party named above, to bring suit against the State of Texas and the State Highway Commission.

The crowded condition of the calendar and the importance of the subject matter of this resolution creates an imperative public necessity requiring the suspension of the Constitutional Rule that all bills be read on three separate days in each House, and said Rule is hereby suspended and this resolution shall take effect from and after its passage, and it is so enacted.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

ADDRESS BY COLONEL F. M. WITHERSPOON

Mr. Alsup offered the following resolution:

Whereas, Col. Witherspoon is in the City of Austin for the purpose of bringing a closer business relationship between the States of Louisiana and Texas; and

Whereas, The said Col. Witherspoon is representing both the City of Shreveport and the Chamber of Commerce of that city; now, therefore, be it

Resolved by the House of Representatives, That Col. Witherspoon be permitted to address the House at 10:30 a. m., today, for a period of not longer than five minutes.

ALSUP,
WOOD,
OLIVER.

The resolution was read second time, and was adopted.

The Speaker announced the appointment of the following committee to escort Col. Witherspoon to the Speaker's stand: Mr. Alsup, Mr. Wood and Mr. Oliver.

The committee having performed their duty, Speaker Calvert presented Hon. Lon E. Alsup who, in turn, introduced Colonel Witherspoon.

Colonel Witherspoon then addressed the House.

EXPRESSING APPRECIATION TO VERHALEN NURSERY COMPANY

Mr. Wood offered the following resolution:

Whereas, The House of Representatives has on today been furnished beautiful flowers by the Verhalen Nursery Company of Scottsville, Harrison County; and

Whereas, These flowers have added much to the appearance of the House; now, therefore, be it

Resolved by the House of Representatives, That we extend sincere thanks to the said Verhalen Nursery Company for their thoughtfulness; and, be it further

Resolved, That the Chief Clerk of the House be instructed to forward a

copy of this resolution to the Verhalen Nursery Company, Scottsville, Texas.

WOOD,
GIBSON,
THORNTON,
JONES of Wise,
CARSSOW,
LANGDON.

The resolution was read second time, and was adopted.

EXPRESSING APPRECIATION TO CITIZENS OF LUBBOCK

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 32, Extending thanks to City of Lubbock.

Whereas, The Members of the Senate and House of Representatives of the Forty-fifth Legislature had the pleasure of being guests of the citizens of Lubbock and of the Texas Technological College, from Friday, February 12th, until Sunday, February 14th; and

Whereas, The season of rare entertainment was both highly pleasant and profitable to the Members of the Legislature privileged to make the tour; and

Whereas, A higher appreciation and a deeper understanding of West Texas and her problems has been gained by the Legislature, by virtue of such tour; now, therefore, be it

Resolved, That the Senate of Texas, the House of Representatives concurring, expresses its deep appreciation for the many courtesies and acts of kindness shown the Members of the Legislature on the above mentioned occasion; and, be it further

Resolved, That a copy of this resolution be sent to the Lubbock Avalanche and another to The Treador, with the request that it appear in said publications, and that a further copy be forwarded to Dr. Bradford Knapp, President of Texas Technological College.

The resolution was read second time, and was adopted.

CONCERNING ACCEPTANCE OF FEDERAL FUNDS BY STATE INSTITUTIONS OF HIGHER LEARNING

Mr. Sharpe offered the following resolution:

H. C. R. No. 40, Concerning acceptance of Federal Funds by State Institutions of Higher Learning.

Whereas, The State Colleges and Institutions of Higher Learning of this State are supported by the citizens of this State through appropriations made by the Legislature; and

Whereas, Such colleges and institutions have in the past entered into work projects financed in part by the Federal Government, and by such action, have obligated the State to set aside funds to match such Federal funds; and

Whereas, It is the sense of the Legislature of this State that any institution supported by State funds ought not to incur any obligation without at least the tacit approval of the Legislature; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That hereafter no State College or Institution of Higher Learning, supported in whole or in part by appropriations made by the Legislature of this State, shall enter into any work project agreement with the Federal Government accepting from the Federal Government funds for the financing of such project which will incur any financial obligations upon the State of Texas to match in whole or in part such fund so received without having first secured the approval of the Board of Control on such project and its permission to enter into such a project.

The resolution was read second time.

Mr. Hyder moved that the resolution be referred to the Committee on Appropriations.

Mr. Sharpe moved to table the motion to refer.

The motion to table was lost.

Question recurring on the motion to refer the resolution, it prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, February 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 9, A bill to be entitled "An Act to amend Section 20 of Chapter 76 of the Acts of the Forty-fourth Legislature, Regular Session of 1935, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILL NO. 1 ON PASSAGE
TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 1, A bill to be entitled "An Act repealing Article 6203, Revised Civil Statutes of 1925, as amended by Chapter 45, Acts of the Forty-first Legislature, First Called Session, Chapter 9, Fourth Called Session of the Forty-first Legislature, and Chapter 11, Fifth Called Session of the Forty-first Legislature, creating a Board of Pardons and Paroles, fixing their terms of office, providing a method of appointment thereto and authorizing recess appointments, and declaring an emergency."

The bill having been read second time on yesterday, with committee amendment by Mr. Alexander, and amendment by Mr. Alexander to the committee amendment, pending.

(Mr. Jones of Wise in the Chair.)

Mr. Callan moved the previous question on the amendment to the committee amendment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Thornberry moved to table the amendment to the committee amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—48

Adkins	Jones of Falls
Alsup	Knetsch
Beckworth	Langdon
Blankenship	Leath
Bond	Lucas
Broadfoot	McConnell
Brown	Metcalfe
Burton	Moffett
Callan	Patterson of Mills
Carssow	Patterson
Davison of Fisher	of Travis
Felty	Petsch
Fielden	Powell
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Hamilton	Russell
Harris of Archer	Schuenemann
Herzik	Sewell
Hoskins	Shell
Huddleston	Smith of Tarrant
James	Tarwater
Johnson of Ellis	Tennant

Tennyson
Thornberry
Walker

Weldon
Wood

Nays—73

Alexander	Lanning
Amos	Leonard
Baker	Leyendecker
Bates	Little
Bell	Loggins
Boethel	London
Boyer	Mann
Bradbury	Mays
Bradford	McCracken
Bridgers	McDonald
Cathey	McFarland
Cauthorn	McKinney
Celaya	Monkhouse
Davis of Haskell	Morris
Davis of Jasper	Morse
Dean	Oliver
Deglandon	Palmer
Derden	Prescott
Dickison	Quinn
Gibson	Reader
Hankamer	Rhodes
Hanna	Roark
Hardin	Ross
Harper	Rutta
Harris of Dallas	Settle
Harris of Dickens	Simpson
Heflin	Skaggs
Holland	Smith of Hopkins
Howard	Smith
Jackson	of Matagorda
Johnson	Stinson
of Tarrant	Stocks
Jones of Angelina	Talbert
Keefe	Thornton
Keith	Vale
Kelt	Westbrook
King	Worley
Lankford	

Present—Not Voting

Harbin

Absent

Davisson	Mauritz
of Eastland	Newton
Hyder	Nicholson
Jones of Atascosa	Riddle
Jones of Wise	Sharpe
Kern	Winfree

Absent—Excused

Cagle	Hartzog
Cleveland	Hull
Colquitt	Kenyon
Dollins	McKee
England	Pope
Farmer	Ragsdale
Graves	Stevenson
Harrell	Waggoner

Question recurring on the amendment to the committee amendment, it was adopted.

Mr. Baker moved to reconsider the vote by which the amendment to the committee amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Alexander offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 1, as follows:

Amend Section 4, by striking out the words and figures "five thousand dollars" and inserting in lieu thereof the words and figures "four thousand dollars".

Mr. Beckworth offered the following substitute for the amendment by Mr. Alexander:

Amend committee amendment, by striking out the words "Four Thousand Dollars" and inserting in lieu thereof the words "Three Thousand Dollars".

Mr. Alexander moved to table the substitute amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—35

Adkins	Little
Alexander	Loggins
Bell	Mays
Bradbury	McCracken
Burton	McDonald
Cauthorn	McKinney
Celaya	Morse
Davis of Haskell	Nicholson
Dean	Palmer
Dickison	Patterson of Mills
Harris of Dallas	Riddle
Hoskins	Smith
Howard	of Matagorda
Jones of Falls	Tarwater
Keefe	Thornberry
Keith	Thornton
Lanning	Vale
Leath	Winfree

Nays—88

Alsup	Boyer
Amos	Bradford
Baker	Bridgers
Bates	Broadfoot
Beckworth	Brown
Blankenship	Callan
Boethel	Carssow
Bond	Cathey

Colquitt	Mann
Davis of Jasper	Mauritz
Deglandon	McFarland
Derden	Metcalfe
Felty	Moffett
Fielden	Monkhouse
Fox	Morris
Fuchs	Oliver
Gibson	Patterson
Hamilton	of Travis
Hankamer	Petsch
Hanna	Powell
Harbin	Prescott
Hardin	Quinn
Harper	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dickens	Rhodes
Heflin	Ross
Herzik	Russell
Holland	Rutta
Huddleston	Settle
Hyder	Sewell
Jackson	Sharpe
James	Simpson
Johnson of Ellis	Skaggs
Johnson	Smith of Hopkins
of Tarrant	Smith of Tarrant
Jones of Angelina	Stinson
Jones of Atascosa	Stocks
Kelt	Talbert
King	Tennant
Knetsch	Tennyson
Langdon	Walker
Lankford	Weldon
Leyendecker	Westbrook
London	Wood
Lucas	Worley

Absent

Davison of Fisher	Newton
Davison	Reader
of Eastland	Roark
Jones of Wise	Schuenemann
Kern	Shell
Leonard	

Absent—Excused

Cagle	Hull
Cleveland	Kenyon
Dollins	McConnell
England	McKee
Farmer	Pope
Graves	Ragsdale
Harrell	Stevenson
Hartzog	Waggoner

Question recurring on the substitute amendment, it was adopted.

(Speaker in the Chair.)

Question recurring on the amendment, as substituted, it was adopted.

Mr. Beckworth moved to reconsider the vote by which the amendment, as

substituted, was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Alexander offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 1, as follows:

Amend Section 8a, by changing words "Five Thousand Dollars" to read "Four Thousand Dollars".

Mr. Alexander asked unanimous consent of the House to change the words "Four Thousand Dollars" to "Three Thousand Dollars" in the amendment.

There was objection offered.

Mr. Beckworth offered the following substitute for the amendment by Mr. Alexander:

Amend amendment to the committee amendment, by striking out the words "Four Thousand Dollars" and inserting in lieu thereof the words "Three Thousand Dollars".

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Alexander offered the following amendments to the committee amendment:

Amend committee amendment to Senate Bill No. 1, as follows:

Amend Section 25, item 3, by striking out the sum "\$1800" and inserting in lieu thereof the sum "\$900".

Amend committee amendment to Senate Bill No. 1, as follows:

Amend Section 8a, by substituting "5 years" in lieu of "2 years".

Amend committee amendment to Senate Bill No. 1, as follows:

Amend item 3, page 12, by striking out "office rent \$1,200".

Amend committee amendment to Senate Bill No. 1, as follows:

Amend Section 25, item 4, by striking out the figures "\$750.00" and inserting in lieu thereof the figures "\$810.00".

Amend committee amendment to Senate Bill No. 1, as follows:

Amend Section 11a, by striking out the words "as to guilt or innocence of such person".

Amend committee amendment to Senate Bill No. 1, as follows:

Amend committee amendment No. 1, by striking out all those words in Sec-

tion 18, as follows: "to the place of his conviction and sentence, or".

Amend committee amendment to Senate Bill No. 1, Section 24, by adding to the end thereof the following:

"When the prisoner's parole has not been violated in any way, upon the expiration of the time of his sentence, his citizenship shall become automatically restored, and it shall be the duty of the Governor, when the same is called to his attention, to issue a proclamation to this effect."

The amendments were severally adopted.

Mr. Keefe offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 1, page 12, Section 6, line 15, by striking out the words "impeachment by the Legislature" and inserting in lieu thereof the words, "the Governor for reasons stated in writing".

Question—Shall the amendment to the committee amendment be adopted?

HOUSE BILL NO. 432 ON SECOND READING

On motion of Mr. Keith, the Twenty-four Hour House Rule, relative to the consideration of printed bills, was suspended, at this time, for the purpose of considering House Bill No. 432.

On motion of Mr. Keith, the regular order of business was suspended, at this time, to take up and have placed on its second reading and its passage to engrossment,

H. B. No. 432, A bill to be entitled "An Act amending Article I of Acts, 1935, Forty-fourth Legislature, Second Called Session, page 1795, Chapter 467, known as the 'Texas Liquor Control Act', by adding thereto a new section to be known as Section 50; authorizing search warrant to issue for the purpose of searching for and seizing and disposing of intoxicating liquors under certain circumstances and prescribing the rules relative thereto, and declaring an emergency."

The Speaker then laid House Bill No. 432 before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 432 ON THIRD READING

Mr. Keith moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 432 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Adkins	Jones of Atascosa
Alexander	Jones of Falls
Alsup	Jones of Wise
Amos	Keefe
Baker	Keith
Bates	Kelt
Beckworth	King
Bell	Knetsch
Blankenship	Langdon
Boethel	Lankford
Bond	Lanning
Boyer	Leath
Bradbury	Leyendecker
Bradford	Little
Bridgers	Loggins
Broadfoot	London
Brown	Lucas
Burton	Mauritz
Callan	Mays
Cathey	McDonald
Cauthorn	McKinney
Celaya	Metcalfe
Davis of Jasper	Moffett
Davisson	Monkhouse
of Eastland	Morris
Dean	Nicholson
Deglandon	Oliver
Derden	Palmer
Dickison	Patterson of Mills
Felty	Patterson
Fielden	of Travis
Fox	Petsch
Fuchs	Powell
Gibson	Prescott
Hamilton	Quinn
Hanna	Reed of Bowie
Hardin	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dallas	Riddle
Harris of Dickens	Roark
Heflin	Ross
Holland	Russell
Hoskins	Rutta
Howard	Settle
Huddleston	Sharpe
Hyder	Shell
Jackson	Simpson
James	Skaggs
Johnson of Ellis	Smith of Hopkins
Johnson	Smith of Tarrant
of Tarrant	Stinson
Jones of Angelina	Stocks

Talbert
Tarwater
Tennant
Tennyson
Thornberry
Thornton

Walker
Weldon
Westbrook
Wood
Worley

Nays—1

Morse

Absent

Carssow	McCracken
Davis of Haskell	McFarland
Davison of Fisher	Newton
Hankamer	Reader
Harbin	Schuenemann
Harper	Sewell
Herzik	Smith
Kern	of Matagorda
Leonard	Vale
Mann	Winfree

Absent—Excused

Cagle	Hull
Cleveland	Kenyon
Colquitt	McConnell
Dollins	McKee
England	Pope
Farmer	Ragsdale
Graves	Stevenson
Harrell	Waggoner
Hartzog	

The Speaker then laid House Bill No. 432 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—115

Adkins	Davis of Haskell
Alexander	Davis of Jasper
Alsup	Davisson
Amos	of Eastland
Baker	Dean
Bates	Deglandon
Beckworth	Derden
Bell	Dickison
Blankenship	Felty
Boethel	Fielden
Bond	Fox
Boyer	Fuchs
Bradbury	Gibson
Bradford	Hamilton
Bridgers	Hanna
Broadfoot	Harbin
Brown	Hardin
Burton	Harris of Archer
Callan	Harris of Dallas
Carssow	Harris of Dickens
Cathey	Heflin
Cauthorn	Holland
Celaya	Hoskins

Howard	Patterson
Huddleston	of Travis
Hyder	Petsch
Jackson	Powell
James	Prescott
Johnson of Ellis	Quinn
Johnson	Reed of Bowie
of Tarrant	Rhodes
Jones of Angelina	Riddle
Jones of Atascosa	Roark
Jones of Falls	Ross
Jones of Wise	Russell
Keith	Rutta
Kelt	Schuenemann
King	Settle
Knetsch	Sharpe
Langdon	Shell
Lankford	Simpson
Lanning	Skaggs
Leath	Smith of Hopkins
Leyendecker	Smith
Little	of Matagorda
Loggins	Smith of Tarrant
London	Stinson
Lucas	Stocks
Mauritz	Talbert
Mays	Tarwater
McCracken	Tennant
McDonald	Tennyson
McKinney	Thornberry
Metcalfe	Vale
Moffett	Walker
Monkhouse	Weldon
Morris	Westbrook
Oliver	Winfree
Palmer	Wood
	Worley

Nays—3

Morse Thornton
Reed of Dallas

Absent

Davison of Fisher	Mann
Hankamer	McFarland
Harper	Newton
Herzik	Nicholson
Keefe	Patterson of Mills
Kern	Reader
Leonard	Sewell

Absent—Excused

Cagle	Hull
Cleveland	Kenyon
Colquitt	McConnell
Dollins	McKee
England	Pope
Farmer	Ragsdale
Graves	Stevenson
Harrell	Waggoner
Hartzog	

BILL AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolution:

H. B. No. 9, "An Act to amend Section 20 of Chapter 76 of the Acts of the Forty-fourth Legislature, Regular Session of 1935, and declaring an emergency."

S. C. R. No. 32, Expressing appreciation to the citizens of Lubbock.

ADDITIONAL QUESTIONNAIRES FILED

(1) Wilson H. Fox.
Taylor, Texas.

Representative of District No. 84.

(2) Lawyer.
(3) None.

(Signed) WILSON H. FOX.

Sworn and subscribed to this the 19th day of February, 1937.

(Seal)

ADELE JACOBS,
Notary Public, Travis County.

(1) Lonnie Smith.
Fort Worth, Texas.

Representative of District No. 102.

(2) Real estate and business.
(3) I do not receive a retainer

from anyone.

(Signed) LONNIE SMITH.

Sworn and subscribed to this the 19th day of February, 1937.

(Seal)

ADELE JACOBS,
Notary Public, Travis County.

RECESS

Mr. Dean moved that the House recess to 2:00 o'clock p. m., today.

Mr. Moffett moved that the House recess to 7:45 o'clock p. m., today.

Mr. Harris of Dickens moved that the House recess to 8:00 o'clock p. m., today.

Question first recurring on the motion by Mr. Dean, it was lost.

Question next recurring on the motion by Mr. Moffett, it prevailed, and the House, accordingly, at 12:30 o'clock p. m., took recess to 7:45 o'clock p. m., today.

NIGHT SESSION

The House met at 7:45 o'clock p. m., and was called to order by Honorable Herman Jones of Wise County.

COMMITTEE TO ESCORT HON.
HAROLD L. ICKES TO THE
SPEAKER'S STAND

The Chair announced the appointment of the following committee on the part of the House to escort the Honorable Harold L. Ickes to the Speaker's stand: Mr. Mauritz, Mr. Thornberry, Mr. London, Mr. Keith and Mr. Patterson of Mills.

RELATIVE TO TEXAS-OKLAHOMA
BOUNDARY

Mr. Boyer offered the following resolution:

Whereas, House Concurrent Resolution No. 13, passed by the Forty-fifth Legislature, authorized the appointment of a committee of three Members from the House of Representatives, and three Members from the Senate, and one Member from the Attorney General's Department to go to Oklahoma for the purpose of meeting with the Oklahoma Legislature and other officials of Oklahoma for the purpose of working out an agreement or compact with Oklahoma to prevent the peace officials, game wardens, and other officials of Oklahoma from arresting and otherwise molesting the citizens of Texas for fishing, hunting, boating, and other recreational activities on Red River, wherein Red River lies on the boundary line between Oklahoma and Texas; and

Whereas, The said committee heretofore mentioned was appointed, and said committee has heretofore met with a committee appointed by the Legislature of Oklahoma, in Dallas, Texas, for the purpose of making such agreement between the two States, but that such agreement has not been completed at this time; and

Whereas, It is proposed by the respective committees from Texas and Oklahoma that the committee from Texas prepare a resolution to be passed by the Legislature in Oklahoma for the purpose of restraining and prohibiting the game wardens, peace officers, and other officials of Oklahoma from interfering with Texas citizens' fishing, hunting, boating, etc., on Red River; and

Whereas, The Game and Fisheries Committee of the House of Represen-

tatives are more familiar with the needs and problems of the citizens of Texas, and especially, the citizens residing adjacent to Red River, as pertaining to their problems of fishing, hunting, and boating on Red River, and are in a position to better assist the committee already appointed; and

Whereas, It has come to the knowledge of the committee appointed from the House of Representatives that two members of the committee appointed from the Senate of Texas will be unable to attend a meeting with the Oklahoma Legislature in Oklahoma City, on Tuesday, February 23, 1937; and;

Whereas, An appointment has been made for the committee from Texas to meet with the committee from Oklahoma, and the entire Legislature of Oklahoma in Oklahoma City, on February 23, 1937; now, therefore, be it

Resolved, That the Speaker of the House of Representatives do appoint the Chairman of the Game and Fisheries Committee of the House of Representatives, that the Chairman of the Game and Fisheries Committee do appoint one member of his Committee and that they be directed to accompany the committee heretofore appointed by this House, to Oklahoma City, to meet with the committee from Oklahoma and the Oklahoma Legislature for the purpose of drafting and passing the necessary legislation in Oklahoma for the purpose of restraining and prohibiting the game wardens, peace officials, and other Oklahoma officials from arresting, molesting, and otherwise interfering with the citizens of Texas from fishing, hunting, boating and other recreational purposes. It is safe-guarding the rights of Texas citizens vouchsafed for in the Treaty of 1819, between the United States of America and the Dominion of Spain, and that the necessary expenses of two members of the Game and Fisheries Committee be provided and paid out of the appropriation heretofore made in House Concurrent Resolution No. 13 above referred to.

BOYER,
KING,
BROADFOOT,
STINSON,
LITTLE.

The resolution was read second time, and was adopted.

ADDRESS BY THE HONORABLE HAROLD L. ICKES

(In Joint Session)

In accordance with the provisions of S. C. R. No. 31, heretofore adopted, providing for a Joint Session of the House and Senate at 8:00 o'clock p. m., today for the purpose of hearing an address by the Hon. Harold L. Ickes, Secretary of the Interior, the Honorable Senators, at 8:00 o'clock p. m., were announced at the bar of the House.

The Honorable Senators were admitted and escorted by Hon. Bob Barker, Secretary of the Senate, and A. W. Holt, Sergeant-at-Arms of the Senate, advanced into the Hall of the House and occupied seats prepared for them.

Senator Will D. Pace, President Pro Tempore of the Senate, was escorted to a seat on the Speaker's stand.

Honorable Harold L. Ickes, escorted by Honorable James V. Allred, Governor of Texas, Senators Oneal, Collie, Roberts and Brownlee, committee on the part of the Senate, Mr. Mauritz, Mr. Thornberry, Mr. London, Mr. Keith and Mr. Patterson of Mills, committee on the part of the House, Honorable Pat Moreland, Secretary to Governor James V. Allred and Ex-Senator Wirtz, were announced at the Bar of the House and, being duly admitted, were escorted to seats on the Speaker's stand.

Senator Will D. Pace, President Pro Tempore of the Senate, called the Senate to order.

Honorable Herman Jones called the House of Representatives to order and presented Honorable James V. Allred, Governor.

Governor Allred introduced the Honorable Harold L. Ickes.

Mr. Ickes then addressed the Joint Session and the assemblage.

SENATE RETIRES

At the conclusion of the address, the Senate, at 8:35 o'clock p. m., retired to its Chamber.

ADJOURNMENT

On motion of Mr. Davison of Fisher, the House, at 8:40 o'clock p. m., adjourned until 10:00 o'clock a. m., Monday, February 22.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Highways and Motor Traffic: House Bills Nos. 62 and 604.

Insurance: House Bills Nos. 35 and 135.

Judiciary: House Bills Nos. 292, 334, 348 and 356.

State Affairs: House Bill No. 81.

The Committee on Judiciary filed an adverse report on House Bill No. 171.

The Committee on Judiciary filed an adverse report, with a minority favorable report, on House Bill No. 253.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, February 19, 1937.
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 9, "An Act to amend Section 20 of Chapter 76 of the Acts of the Forty-fourth Legislature, Regular Session of 1935, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

In Memory of
Hon. Oscar A. Seward

Mr. Fuchs offered the following resolution:

Whereas, On the 5th day of December, 1936, the Divine Providence called from the ranks of the mortal, one of our pioneer statesmen, the Honorable Oscar A. Seward of Independence, Texas; and

Whereas, The Honorable Oscar A. Seward served with distinction in the Thirty-sixth Legislature, 1919-1921, of Texas; and

Whereas, He was the son of John H. Seward and the grandson of Samuel Seward, member of Austin's Colony, who came to Texas and settled at Independence in 1833; and

Whereas, His services were such that his influence will be remembered and his life will be an inspiration long after the flowers have come to bloom over his grave; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That the Members thereof regret exceedingly the departure of this good man, and deeply sympathize with his bereaved loved ones; and, be it further

Resolved, That a copy of this resolution be spread upon the House Journal of today, in memory of the deceased; and, be it further

Resolved, That when the House adjourns today that it do so in respect and in memory of this brilliant statesman; and, be it further

Resolved, That the Chief Clerk of the House send to the relatives of the deceased, copies of this resolution.

FUCHS,
JAMES,
HOSKINS,
HERZIK,
RHODES.

The resolution was read second time, and was unanimously adopted.